

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

Stanford L. Burris	:	
	:	
Plaintiff,	:	
	:	Civ. No. 04-1469-SLR
v.	:	
	:	
Richards Paving, Inc.	:	
	:	
Defendant	:	

NOTICE OF MOTION OF DEFENDANT RICHARDS PAVING, INC.,’S
MOTION TO DISMISS PLAINTIFFS’ COMPLAINT PURSUANT
RULE 12(B)(6) FOR FAILURE TO STATE A CLAIM
UPON WHICH RELIEF CAN BE GRANTED

TO: Gary W. Aber, Esq.
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Wilmington, DE 19899-1675

Please take notice that the undersigned will bring the above Motion to Dismiss pursuant to Rule 12(b)(6) before the Honorable Sue L. Robinson.

ELZUFON AUSTIN REARDON
TARLOV & MONDELL, P.A.

/s/ Matthew P. Donelson
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Date: August 5, 2005